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EXAMINER

POON, KING Y

ART UNIT PAPER NUMBER

2625

DATE MAILED: 11/01/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/814,931

Applicant(s)

HART ET AL.

Examiner

King Y. Poon

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 22 August 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-68 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-68 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 20 March 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>1/27/2006, 9/24/06, 4/11/06</u> | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Applicant's election without traverse of the restriction requirement in the reply filed on 8/22/2006 is acknowledged.

As point out by the applicant, claim 51 is readable on species I. Claim 51 is being interpreted as the time based media is processed by a media processing system of a printer. The time based media is being processed in part within the printing system is not being considered here as request by the applicant.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1, 2, 6-8, 19, 20, 22, 26-31, 35-37, 48, 49, 51, 52, 56-58, 67, 68 are rejected under 35 U.S.C. 103(a) as being unpatentable over Narushima (US 6,774,951) in view of Kubota (US 2003/0084462).

Regarding claims 1, 30, 51: Narushima teaches a printer (the unitary printing apparatus, column 24, lines 55-62) for printing time-based media (e.g. broadcast picture/video, column 4, lines 35-52), the printer comprising: an interface (receiver, column 8, lines 4-15) for receiving time-based media from an external source; a media processing system (the system of fig. 8) coupled to the interface to receive the time-based media, the media processing system determining a printed representation of the time-based media (S59, fig. 22) and an electronic representation of the time-based

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media (S 34, fig. 21); a printed output system (printer 32, column 24, lines 55-62) in communication with the media processing system to receive the printed representation, the printed output system producing a corresponding printed output from the printed representation of the time-based media (fig. 22) ; and a electronic output system (e.g., display 31, column 24, lines 55-62) in communication with the media processing system to receive the electronic representation, the electronic output system producing a corresponding electronic output from the electronic representation of the time-based media (fig., 21).

Narushima further teaches that the time-based media that is received and printed are music (column 2, lines 60-67).

Narushima does not teach how a music is printed; therefore, a person with ordinary skill in the art must relies on other references in order to know what weather broad would look like in Narushima's system.

Kubota, in the same area of printing digital broadcast, teaches music is printable and the printed music representation includes a representation of the time based media at a plurality time (lyrics of the music) thereof and meta data (leave my body to the flow of river) that associates the electronic representation with the plurality of times represented in the printed representation.

Therefore, it would have been obvious to a person with ordinary skill in the art at the time the invention was made to have used Kubota's teaching to include: printed music representation includes a representation of the time based media at a plurality time (lyrics of the music) thereof and meta data (leave my body to the flow of river) that

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associates the electronic representation with the plurality of times represented in the printed representation, such that a user would remember what sound it is and how to sing it through a plurality time.

Regarding claims 2, 31, 52: Narushima teaches wherein the interface comprises a single communication interface (receiver, column 8, lines 4-6) allowing the printer to be communicatively coupled to an electronic device, the electronic device providing the time-based media to the printer.

Regarding claims 6, 35, 56: Narushima teaches wherein the external source is a media broadcaster, and wherein the interface comprises a media broadcast receiver that can be tuned to a media broadcast (column 9, lines 15-20).

Regarding claims 7, 36, 57: Narushima teaches wherein the interface comprises an embedded receiver selected from a group consisting of: an embedded TV receiver (column 7, lines 43-50), an embedded radio receiver, an embedded short-wave radio receiver, an embedded satellite radio receiver, an embedded two-way radio, and an embedded cellular phone.

Regarding claims 8, 37, 58: Narushima teaches, wherein the interface comprises an embedded device selected from a group consisting of: an embedded heat sensor, an embedded humidity sensor, an embedded National Weather Service radio alert receiver, and an embedded TV Emergency Broadcast System (EBS) alert monitor (since Narushima teaches receiving TV Broadcast, column 3, lines 40-45; the system inherently receives/monitor TV Emergency Broadcast).

Regarding claims 19, 48: Narushima teaches wherein the electronic output system is coupled to a speaker system and sends an audio signal to the speaker system (column 13, lines 30-36).

Regarding claims 20, 49, 67: Narushima teaches wherein the electronic output system comprises an embedded sound player for generating the audio signal (column 13, lines 30-36).

Regarding claim 22: Narushima teaches wherein the media processing system comprises an embedded multimedia server (S3, fig. 10).

Regarding claim 26: Narushima teaches wherein the media processing system comprises an embedded video motion detection module (the logic that detects, decode video motion signal of S60, S58 to form video images/frame, S59).

Regarding claim 27: Narushima teaches a user interface (display, fig. 10) coupled to the media processing system, the user interface providing information to a user about at least one of the printed representation and the electronic representation of the time-based media, the user interface further accepting input from a user to cause the media processing system to modify at least one of the printed representation and the electronic representation of the time-based media (column 12, lines 29-35, fig. 10, column 14, lines 29-45).

Regarding claim 28: Narushima teaches wherein the user interface communicates with a user through a computer system (column 11, lines 50-67, communication network such as Internet is a computer system, or the server, column 14, lines 10-15) coupled to the printer.

Regarding claim 29: Narushima teaches wherein the media processing system determines at least one of the printed representation and the electronic representation with assistance from an external computing device (e.g., server, column 14, lines 10-15).

Regarding claim 68: Narushima teaches wherein producing the electronic output comprises generating a video signal for playback by a display system (S33, S36, fig. 21).

4. Claims 3, 4, 11, 32, 33, 40, 53, 54, 61 are rejected under 35 U.S.C. 103(a) as being unpatentable over Narushima/Kubota as applied to claims 1, 30, 51 above, and further in view of Takahashi (US 6,674,538).

Regarding claims 3, 4, 11, 32, 33, 40, 53, 54, 61: Narushima teaches his invention is related/used to print video images (column 1) from all sources that would supply video images.

Narushima does not teach wherein the interface comprises a removable media storage reader or wherein the interface comprises a video input device selected from a group consisting of: a DVD reader, a video cassette tape reader, and a flash card reader.

Takahashi, in the same area of printing video, teaches video image, supplied to a printer to be printed, come from a video cassette tape reader reading a video tape (41, column 4, lines 35-50; fig. 1).

Therefore, it would have been obvious to a person with ordinary skill in the art at the time the invention is made to have modified Narushima to include: wherein the

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interface comprises a removable media storage reader or wherein the interface is a video cassette tape reader.

It would have been obvious to a person with ordinary skill in the art at the time the invention is made to have modified Narushima by the teaching of Takahashi because: (a) it would have provide more usable functions to the system of Narushima; and (b) printing video picture from a video tape reader is well-known in the art and widely used by different users; therefore, the modification of Narushima would attract more users/buyers.

5. Claims 5, 12, 34, 41, 55, 62 are rejected under 35 U.S.C. 103(a) as being unpatentable over Narushima/Kubota as applied to claims 1, 30, 51 above, and further in view of Assis (US 5,661,783)

Regarding claims 5, 12, 34, 41, 55, 62: Narushima does not teach wherein the interface comprises an embedded audio recorder, and wherein the external source of media is a series of sounds that are converted into an electrical format by the embedded audio recorder and then provided to the media processing system.

Assis, in the same area of printing, teaches it is well known in the art for a printer (14, fig. 1) to print a series of sounds that are converted into an electrical format by the audio recorder (column 4, line 50) and then provided to the printer (column 4, lines 45-51).

Therefore, it would have been obvious to a person with ordinary skill in the art at the time the invention is made to have modified Narushima to include: wherein the

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interface comprises an embedded audio recorder, and wherein the external source of media is a series of sounds that are converted into an electrical format by the embedded audio recorder and then provided to the media processing system.

It would have been obvious to a person with ordinary skill in the art at the time the invention is made to have modified Narushima by the teaching of Assis because: (a) it would have provide more usable functions to the system of Narushima; and (b) printing audio from a recorder is well-known in the art and widely used by different users; therefore, the modification of Narushima would attract more users/buyers.

Note: It is well known in the art that the phone recorder using audio cassette tape.

Using audio cassette tape in the system of Narushima and Assis would have been obvious because (a) it would have provided the system of Narushima with unlimited memory by replacing a fully loaded tape with a new one; and (b) it would have allowed the user to carry easily transportable removable tape instead of the heavy system.

6. Claims 9, 38, 59 are rejected under 35 U.S.C. 103(a) as being unpatentable over Narushima/Kubota as applied to claims 1, 30, 51 and further in view of Conway (US 5,444,476).

Regarding claims 9, 38, 59: Narushima does not teach wherein the interface comprises a embedded screen capture hardware.

Conway, in the same area of providing users with video images, teaches it is well known in the art to provide a screen capture hardware for generating video images (column 2, lines 5-15).

Therefore, it would have been obvious to a person with ordinary skill in the art at the time the invention was made to have modified Narushima to include: wherein the interface comprises an embedded screen capture hardware.

It would have been obvious to a person with ordinary skill in the art at the time the invention was made to have modified Narushima by the teaching of Conway because: (a) it would have given user more options of how to obtain the video data; and (b) using a well known method of obtaining video is an advantage because it would provide user with a reliable method of storing and obtaining video that others have invested lots of money and time to improve and research on the well known method.

7. Claims 10, 39, 60 are rejected under 35 U.S.C. 103(a) as being unpatentable over Narushima/Kubota as applied to claims 1, 30, 51 and further in view of Hon (US 4,907,973).

Regarding claims 10, 39, 60: Narushima does not teach wherein the interface comprises an ultrasonic pen capture device.

Hon, in the same area of providing users with video images, teaches it is well known in the art to provide a ultrasonic pen capture device for generating the video image frames to be view on a computer (fig. 9).

Therefore, it would have been obvious to a person with ordinary skill in the art at the time the invention was made to have modified Narushima to include: wherein the interface comprises ultrasonic pen capture device.

It would have been obvious to a person with ordinary skill in the art at the time the invention was made to have modified Narushima by the teaching of Hon because: (a) it would have given user more options of how to obtain the video data; (b) using a well known method of storing and obtaining video is an advantage because it would provide user with a reliable method of storing and obtaining video that others have invested lots of money and time to improve and research on the well known method; and (c) it would have provided more usage for Perkins system.

8. Claims 13, 14, 42, 43, 63, 64, 65, 66 are rejected under 35 U.S.C. 103(a) as being unpatentable over Narushima/Kubota as applied to claims 1, 30, 51 above, and further in view of Reed (US 6,665,092).

Regarding claims 13, 14, 42, 43, 63, 64, 65, 66: Narushima teaches to store the electronic representation (column 12, lines 65-67, column 13, lines 1-10).

Narushima does not teach wherein the electronic output system is configured to write the electronic representation to a removable media storage device such as a computer disk and a computer-readable medium.

Reed, in the same area of storing images in a printer teaches storing the electronic representation to a removable media storage device such as a computer disk and a computer-readable medium (column 4, lines 34-45, column 8, lines 52-60).

Therefore, it would have been obvious to a person with ordinary skill in the art at the time the invention was made to have modified Narushima to include: wherein the electronic output system is configured to write the electronic representation to a removable media storage device such as a computer disk and a computer-readable medium.

It would have been obvious to a person with ordinary skill in the art at the time the invention was made to have modified Narushima by the teaching of Reed because: (a) it would have provided the system of Narushima with unlimited memory by replacing a fully loaded memory with a new one; and (b) it would have allowed the user to carry easily transportable removable memory instead of the heavy system.

Note: A removeable storage medium, inherently is disposable and self-destructing over time (normal wear and tear).

9. Claims 15, 16, 44, 45 are rejected under 35 U.S.C. 103(a) as being unpatentable over Narushima/Kubota and Reed (US 6,665,092) and Fujita et al (US 5,903,538).

Regarding claims 15, 16, 44, 45: Narushima as modified by Reed teaches storing the video to a removable medium, see discussion of claims 13, 14, 42, 43.

Narushima does not teach output system comprises a handling mechanism to accommodate a plurality of removable storage device, and wherein the handling mechanism is a tray.

Fujita, in the same area of storing video images, teaches it is well known in the art to store video images in a removable storing medium (column 1, lines 25-45) at a

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handling mechanism. The handling mechanism accommodates a plurality of removable storage device, and wherein the handling mechanism is a tray (fig. 6).

Therefore, it would have been obvious to a person with ordinary skill in the art at the time the invention was made to have modified Narushima to include: a handling mechanism to accommodate a plurality of removable storage device, and wherein the handling mechanism is a tray.

It would have been obvious to a person with ordinary skill in the art at the time the invention was made to have modified Narushima by the teaching of Fujita because it would have made the management and operation of high volume data possible as taught by Fujita at column 1, lines 20-25.

10. Claims 17, 18, 46, 47 are rejected under 35 U.S.C. 103(a) as being unpatentable over Narushima/Kubota as applied to claims 1, 30 and further in view of Howald (US 6,153,667).

Regarding claims 17, 18, 46, 47: Narushima does not teach wherein the electronic output system comprises a disposable media writer/self-destructing media writer.

Howald, in the same area of printing, teaches it is well known in the art to print with a media writer wherein the media writer is a disposable media writer and self-destructing media writer (column 4, lines 60-67).

Therefore, it would have been obvious to a person with ordinary skill in the art at the time the invention was made to have modified Narushima to include: wherein the

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electronic output system comprises a disposable media writer/self-destructing media writer.

It would have been obvious to a person with ordinary skill in the art at the time the invention was made to have modified Narushima by the teaching of Hon because: (a) using a well known method printing is an advantage because it would provide user with a reliable method printing that others have invested lots of money and time to improve and research on the well known method.

11. Claims 21, 50 are rejected under 35 U.S.C. 103(a) as being unpatentable over Narushima/Kubota as applied to claims 1, 30 and further in view of well-known prior art.

Regarding claims 21, 50: Narushima teaches information displayed is obtained on Internet (column 14, lines 15-25, column 11, lines 50-55).

Narushima does not teaches the electronic output system comprises an embedded web page display.

It is well known in the art that computing devices on Internet comprises an embedded web page display (official notice).

Therefore, it would have been obvious to a person with ordinary skill in the art at the time the invention was made to have modified Perkins to include: an embedded web page display such that the Narushima invention can fully utilized Internet technology.

12. Claims 23, 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Narushima/Kubota as applied to claim 1 and further in view of Perkins (US 6,106,457).

Regarding claims 23, 24: Narushima does not wherein the media processing system comprises an embedded audio encryption module and embedded video encryption module.

Perkins, in the same area of using computing device of transmitting and receiving audio and video signals teaches media processing system comprises an embedded audio encryption module and embedded video encryption module (column 34, lines 45-52; lines 62-65).

Therefore, it would have been obvious to a person with ordinary skill in the art at the time the invention was made to have modified Narushima to include: wherein the media processing system comprises an embedded audio encryption module and embedded video encryption module.

It would have been obvious to a person with ordinary skill in the art at the time the invention was made to have modified Narushima by the teaching of Perkins because it is well known in the art that encrypted data is not easily to be stolen or misused by unauthorized users.

13. Claim 25 is rejected under 35 U.S.C. 103(a) as being unpatentable over Narushima/Kubota as applied to claim 1 and further in view of Markow et al (US 6,175,489).

Regarding claim 25: Narushima teaches using speaker (column 13, lines 30-36) for reproducing the audio signals received from the Broadcast.

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Narushima does not wherein the media processing system comprises an embedded audio sound localization module.

Markow, in the same area of speakers, teaches an embedded audio sound localization module (column 3, lines 19-27, the computer software that generates signals to the speaker to create audio sound localization).

Therefore, it would have been obvious to a person with ordinary skill in the art at the time the invention was made to have modified Narushima to include: wherein the media processing system comprises an embedded audio sound localization module.

It would have been obvious to a person with ordinary skill in the art at the time the invention was made to have modified Narushima by the teaching of Markow because it would create more pleasure listening environment for users.

Response to Arguments

14. Applicant's arguments filed 5/9/2006 have been fully considered but they are not persuasive.

With respect to applicant's argument that Narushima does not teach "a plurality of time," has been considered.

In reply: Narushima further teaches that the time-based media that is received and printed are music (column 2, lines 60-67).

Narushima does not teach how a music is printed; therefore, a person with ordinary skill in the art must relies on other references in order to know what weather broad would look like in Narushima's system.

Kubota, in the same area of printing digital broadcast, teaches music is printable and the printed music representation includes a representation of the time based media at a plurality time (lyrics of the music) thereof and meta data (leave my body to the flow of river) that associates the electronic representation with the plurality of times represented in the printed representation.

Therefore, it would have been obvious to a person with ordinary skill in the art at the time the invention was made to have used Kubota's teaching to include: printed music representation includes a representation of the time based media at a plurality time (lyrics of the music) thereof and meta data (leave my body to the flow of river) that associates the electronic representation with the plurality of times represented in the printed representation, such that a user would remember what sound it is and how to sing it through a plurality time.

Conclusion

15. Any inquiry concerning this communication or earlier communications from the examiner should be directed to King Y. Poon whose telephone number is 571-272-7440. The examiner can normally be reached on Mon-Fri 8:00-4:30.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward Coles can be reached on 571-272-7402. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

October 27, 2006

A handwritten signature in black ink, appearing to read 'K. Y. Poon', with a stylized flourish at the end.

KING Y. POON
PRIMARY EXAMINER